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TRANSMITTAL FORM

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Total Number of Pages in This Submission

34

Application Number

09/768,816

Filing Date

01/23/2001

First Named Inventor

Charbit, Suzy et al.

Group Art Unit

1617

Examiner Name

Mojdeh Bahar

Attorney Docket Number

H7708-002A

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

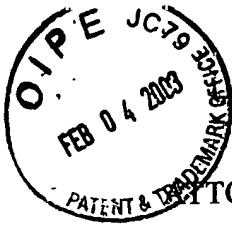
Firm or Individual name	Jeffrey I.D. Lewis, Esq. (Reg. No. 35,937) Patterson, Belknap, Webb & Tyler LLP
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Date	2/4/03

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TORNEY DKT NO.: H7708-002A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Charbit, Suzy, et. al

Group Art: 161

U.S. Serial No.: 09/768,816

Examiner: Mojdeh Beha

Filed: 01/23/2001

Title: TREATMENT OF PATHOLOGICAL CONDITIONS
CHARACTERIZED BY AN INCREASED IL-1 LEVEL

TECH CENTER 1600/2900

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2003

RECEIVED

**Commissioner for Patents
Washington, D.C. 20231**

EXPRESS MAIL CERTIFICATE

Sir:

Date of Deposit: February 4, 2003

Express Label No.: EL 779602984US

I hereby certify that the following attached papers

1. Transmittal Form (1 page);
 2. Response to Office action mailed December 4, 2002 (32 pages); and
 3. Return Postcard;

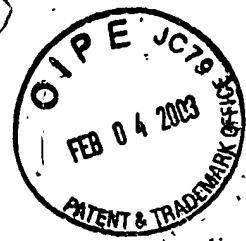
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : S. Charbit et al.
Serial No. : 09/768816
Filed : 1/23/01
For : TREATMENT OF PATHOLOGICAL CONDITIONS CHARACTERIZED BY AN INCREASED IL-1 LEVEL
Attorney Docket No. : H7708-0002
Examiner : Mojdeh Bahar
Art Unit : 1617

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Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Office Action mailed December 4, 2002 (Paper No. 16),

Applicants submit the Remarks below, under the provisions of 37 CFR §1.113.

STATUS OF THE CLAIMS

Applicants' terminal disclaimer with respect to co-pending Application No. 09/663528 was deemed sufficient to overcome the provisional double patenting rejection in the Office Action mailed May 7, 2002 (Paper No. 7).

Claims 1-8 and 10-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by DiNapoli WO 01/51044 A2. Claims 1-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Martel-Pelletier et al. in view of Marcolongo et al. and a statement from page 1 of Applicants' specification. Claim 3, as amended by Applicants' March 9, 2001 Preliminary Amendment, stands rejected for not complying with the written description